

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.16534 of 2008
SAYEED KHAN @ MD.SAYEED
Versus
THE STATE OF BIHAR

2 05.05.2008

This is an application for the grant of regular bail in a case under Sections 307 & 384 of the Indian Penal Code and under the Arms Act.

Informant Md. Ekbal lodged F.I.R. alleging therein that the petitioner came to a S.T.D. booth and demanded a recharge coupon of Rs.80/- without paying any cost. He submitted that informant refused thereupon an altercation took place. He further submits that the petitioner took out a country-made pistol and opened fire but the same misfired. It is further alleged that the petitioner was arrested with the country-made pistol and was handed over at the police station with the seized country made pistol.

Learned lawyer for the petitioner submits that the offence as per the allegation will come under Section 37 of the Arms Act and that section is bailable. He further submits that so far as the demand of recharge coupon without payment is false and concocted. He submits that the petitioner is in custody from 1.12.2007 be released on bail.

Learned State counsel conceded.

Considering the submissions made and the period of detention the petitioner Sayeed Khan @ Sayeed, is directed to be released on bail on furnishing bail bond of Rs.10, 000/- (Ten

thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Sherghati, Gaya in connection with Sherghati P.S.Case No.270 of 2007.

Mkr.

(Anwar Ahmad, J)

